



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

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LISA P. JACKSON
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HPO-G2006-203 PROD
July 21, 2006
Log # 06-1368-3

Mr. Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423-0001

Attention: Section on Environmental Analysis

Dear Mr. Williams:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the *Federal Register* on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40544-40555), I am providing **Consultation Comments** for the following proposed action:

**STB Number AB 167 (Sub-Number 1185X)
Consolidated Railroad Corporation (Conrail)
Robbinsville Industrial Track
Proposed Abandonment of Railroad Right of Way MP 32.2 to MP 37.9
Township of Hamilton and Township of Washington, Mercer County.**

SUMMARY: The abandonment of the Robbinsville Industrial Track (RIT) as proposed by Conrail and described in the submitted Environmental Assessment (EA) will have an **adverse effect upon two (2) historic properties**, the National Register of Historic Places (NRHP) eligible **Camden and Amboy Railroad Historic District** and the NRHP listed **Windsor Historic District** (Washington Township, Mercer County). The State Historic Preservation Office (SHPO) requests that the Surface Transportation Board (STB) deny the submitted application for abandonment of this irreplaceable regional historic and transportation asset and retain full regulatory jurisdiction over the railroad right of way until consultation among all identified consulting parties thoroughly explores and fully negotiates a no adverse effect alternative in compliance with the regulations (36 CFR Part 800 Protection of Historic Properties) implementing Section 106 of the National Historic Preservation Act (NHPA). The alternative of discontinuance of service without abandonment should be fully explored by the STB and the consulting parties.

800.3 Initiation of the Section 106 Process

This letter initiates formal consultation pursuant to 36 CFR Part 800.3, Initiation of the Section 106 Process. Based upon electronic communications between STB and SHPO staff, the SHPO agrees that the New Jersey Department of Transportation (NJDOT), New Jersey Transit (NJT), the Delaware Valley Regional Planning Commission (DVRPC), Conrail, Hamilton Township, Washington Township, Mercer County, the Pennsylvania Railroad Technical and Historical Society (PRRT&HS), the Camden and Amboy (C&A) Trail Conservancy, and the SHPO have been identified as consulting parties. Public involvement activities may identify additional public and private consulting parties.

The SHPO acknowledges receiving from the following individuals and organizations correspondence requesting preservation of the National Register of Historic Places eligible Camden and Amboy Railroad Historic District right of way: two local citizens (Ms. Julie R. Petix, Mr. Richard Willinger), Pennsylvania Railroad Technical and Historical Society (Mr. Alan Buchan, President), Save Hamilton Open Space, Sierra Club (New Jersey Chapter), Preservation New Jersey, Camden and Amboy Railroad Historical Group (Mr. John J. Kilbride, President) and C&A Trail Conservancy.

800.4 Identification of Historic Properties

The Robbinsville Industrial Track, currently owned by Conrail, is a segment of the original Camden and Amboy (subsequently Pennsylvania) Railroad right of way, the first railroad constructed in New Jersey (and the third constructed in the nation). Consultation pursuant to Section 106 of the National Historic Preservation Act, dating as far back as 1975, has acknowledged and emphasized the state and national significance of the former Camden and Amboy Railroad right of way. This consultation has also acknowledged that the Camden and Amboy Railroad Historic District (C&ARHD), extending from the Raritan River at South Amboy, Middlesex County to the City of Camden, Camden County, is eligible for listing in the National Register of Historic Places (NRHP). The period of significance of this historic district is from 1831 to 1965, when an approximately 1.25 mile section of the railroad in the Borough of Hightstown and the Township of East Windsor was officially abandoned and the tracks were removed. The significance of the Camden and Amboy Railroad Historic District has been recognized in the documentation prepared for numerous New Jersey Transit (and Federal Transit Administration) and New Jersey Department of Transportation (and Federal Highway Administration) projects and United States Army Corps of Engineers and United States Coast Guard permits.

The historic significance of the Camden and Amboy Railroad in the Washington Township and Hamilton Township area was extensively described in the *Cultural Resource Survey for U.S. Route 130 and N.J. Route 33 (Hamilton, Washington, and East Windsor Townships)* prepared for the Federal Highway Administration in 1983. The historic significance of the entire Camden and Amboy Railroad right of way was very specifically highlighted with the July 2001 completion of the New Jersey Department of Transportation funded historic corridor management study entitled: *Camden and Amboy Railroad Historic Districts Study, Volume 1 and Volume 2*. The goal of the study was to

establish a framework for future cultural resource management and preservation of the historic character and integrity of the Camden and Amboy Railroad Historic District.

The *Study* included a *Mitigation Strategies* section that noted that the railroad was "...a resource of national significance that linked two major metropolitan areas of nineteenth century America - New York and Philadelphia - as well as a significant technological accomplishment..."

The *Camden and Amboy Railroad Historic Districts Study* surveyed the railroad right of way and identified railroad and railroad related buildings, structures, and objects that are associated with and contribute to the historic character, significance, and integrity of the Camden and Amboy Railroad Historic District. In addition to the right of way itself, 4 historic structures (3 undergrade railroad bridges and 1 overhead roadway bridge) and 1 historic building (Robbinsville Freight Station) are within the approximately 5 miles of the Robbinsville Industrial Track right of way currently proposed for abandonment. The railroad bridge over Assunpink Creek is an early twentieth century concrete slab bridge and the railroad bridge over Miry Run is a circa 1830's brick lined stone arch bridge (likely built during the original construction of the Camden and Amboy Railroad). Both railroad bridges, as well as the wood frame Robbinsville Freight Station, contribute to the historic character, significance, and integrity of the Camden and Amboy Railroad Historic District.

The railroad right of way bisects and is an integral part of the National Register of Historic Places listed Windsor Historic District (Washington Township, Mercer County). The NRHP nomination form documents the critical historical relationship between the Camden and Amboy Railroad and Windsor Historic District.

The historic significance of the Camden and Amboy Railroad Historic District is also recognized and highlighted by past federal, state, and local government efforts to avoid and minimize adverse effects during the development of publicly funded transportation projects.

Recent consultation among the Federal Highway Administration (FHWA), New Jersey Department of Transportation (NJDOT), and the State Historic Preservation Office for the replacement of the Route 33 Bridge over the Robbinsville Industrial Track in Washington Township produced an NJDOT commitment to construct an at-grade crossing (roadway at the level of the existing railroad tracks) and to "maintain the physical, functional, operational, and visual integrity of the Camden and Amboy [Pennsylvania] Railroad Historic District." The NJDOT pledged that within the project limits the existing Robbinsville Industrial Track railroad grade and tracks would remain unbroken and unobstructed.

Another state funded transportation project affecting the Robbinsville Industrial Track segment of the Camden and Amboy Railroad Historic District has been designed to avoid adverse effects to the historic district. For the crossing of the Robbinsville Industrial Track by the proposed Route 33 Bypass of the Washington Town Center, the NJDOT, as another tangible example of implementing the goals and recommendations of the *Camden and Amboy Railroad Historic Districts Study* and preserving the physical,

functional, operational, and visual integrity of the historic railroad right of way, also committed to designing and constructing a roadway that would:

- 1 maintain the unbroken and unobstructed linear character of the railroad, the right of way, and the historic district
- 2 maintain the existing railroad grade and cross the railroad at the vertical elevation of the top of the existing railhead
- 3 ensure that the existing railroad track shall remain functionally operational (whether currently in service or not).

Memoranda of Agreement for four (4) federally funded or permitted transportation projects document both the historic significance of the railroad and the previous commitment of federal and state agencies to preserve the historic character and integrity of the railroad right of way and avoid, minimize, and mitigate adverse effects to the Camden and Amboy Railroad Historic District:

Route 33 Bridge over Conrail Robbinsville Industrial Track (Washington Township, Mercer County)
Southern New Jersey Light Rail Transit System (Mercer, Burlington, and Camden Counties)
South Amboy Ferry Terminal (South Amboy, Middlesex County)
Conrail Bridge over Ernston Road (Sayreville, Middlesex County).

Since a number of federally funded or permitted projects, including the New Jersey Transit Southern New Jersey Light Rail Transit System, the proposed replacements of the Ernston Road Bridge in Sayreville and the railroad bridge over Main Street and New Jersey Transit in South Amboy, and the construction of the South Amboy Ferry Terminal, have had or are expected to have some adverse effects on the Camden and Amboy Railroad Historic District, the adverse effects of the proposed abandonment and potential dismemberment of 5 miles of the Camden and Amboy Railroad Historic District must be acknowledged and evaluated within a cumulative adverse effects (impacts) context.

800.5 Assessment of Adverse Effects

As Deputy State Historic Preservation Officer for New Jersey, it is my opinion that, consistent with the criteria of adverse effect, abandonment of the Robbinsville Industrial Track as proposed by Conrail and described in the submitted Environmental Assessment will have an **adverse effect upon two (2) historic properties**, the National Register of Historic Places (NRHP) eligible **Camden and Amboy Railroad Historic District** and the NRHP listed **Windsor Historic District** (Washington Township, Mercer County).

800.6 Resolution of Adverse Effects

The SHPO requests that the Surface Transportation Board deny the application for abandonment of this irreplaceable regional historic and transportation asset and retain

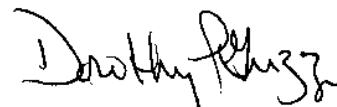
full regulatory jurisdiction over the railroad right of way until consultation among all identified consulting parties thoroughly explores and fully negotiates a no adverse effect alternative in compliance with the regulations (36 CFR Part 800 Protection of Historic Properties) implementing Section 106 of the National Historic Preservation Act. The alternative of discontinuance of service without abandonment should be fully explored by the STB and the consulting parties.

Environmental Assessment Comments

The submitted EA does not explain, examine or discuss the reasons why Conrail is proposing to abandon this portion of the RIT at this time, the previous use of or traffic on the line, the potential for freight traffic in the future, the efforts of Conrail to cultivate railroad customers or market railroad service, and, most importantly, alternative transportation uses and the transportation potential of the line in response to anticipated regional economic development, population growth, and increased demand for public transportation and recreational transportation. A thorough examination of these issues is critical to evaluating the appropriateness of the proposed abandonment and assessing the feasibility of alternatives that would avoid an adverse effect and permit economically viable rail freight operations or preserve a regionally significant transportation, recreational and historic asset. Likewise, the EA should acknowledge that the Robbinsville Industrial Track is an intact segment of a historic railroad right of way that to the south has been acquired and is being operated by New Jersey Transit (as the River Line) and should evaluate the environmental consequences of abandoning and dismembering this portion of the railroad and foreclosing the potential for expanding an existing railroad public transportation operation. The EA should also note that since 1997 the Camden and Amboy - Robbinsville Industrial Track has been listed in the Delaware Valley Regional Planning Commission's active, inactive, and abandoned railroad right of way inventory and policy plan as having a potential for freight, passenger or trail reuse.

The SHPO looks forward to cooperatively and collaboratively consulting with the STB and all of the consulting and interested parties to define and implement a no adverse effect alternative that is responsive to and satisfies all of the historic preservation, transportation, and economic development goals and objectives that have been identified in the submitted public and governmental correspondence. If you have any questions regarding the assessment of historic resources or effects, please contact Charles Scott at (609) 633-2396.

Sincerely,



Dorothy P. Guzzo
Deputy State Historic
Preservation Officer

C: Katry Harris, ACHP
 John K. Enright, Conrail
 James Badgley, NJDOT
 Richard Roberts, NJ Transit
 John Ward, DVRPC
 Interested and Consulting Parties List

CS:C/STBG2006ConrailRIT